

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CABN 163973)
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7071
Facsimile: (415) 436-7234
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 07-764-SI
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.)	
)	
JUAN HERRERA-SANTOS,)	
)	
Defendant.)	
_____)	

On February 8, 2008, the parties in this case appeared before the Court and stipulated that time from February 8, 2008 through March 14, 2008 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to continue investigation related to this case and to draft motions. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance

1 outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
2 3161(h)(8)(A).

3
4 SO STIPULATED:

5
6 JOSEPH P. RUSSONIELLO
United States Attorney

7
8 DATED: February 14, 2008

/s/
TAREK J. HELOU
Assistant United States Attorney

9
10
11 DATED: February 14, 2008

/s/
STEVEN KALAR
Attorney for Defendant JUAN HERRERA-SANTOS

12
13
14 As the Court found on February 8, 2008, and for the reasons stated above, the Court finds
15 that the ends of justice served by the requested continuance outweigh the best interests of the
16 public and the defendant in a speedy trial. The Court also finds that time from February 8, 2008
17 through March 14, 2008 shall be excluded from Speedy Trial Act calculations for effective
18 preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested
19 continuance would deny counsel reasonable time necessary for effective preparation, taking into
20 account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §
21 3161(h)(8)(B)(iv).

22
23 SO ORDERED.

24
25 DATED: _____

THE HONORABLE SUSAN ILLSTON
United States District Judge